

Remarks

Claims 1-23 and 25-29 are pending in the Application. Claims 1-5, 7, 10, 12, 13, 16-21, 28 and 29 are rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent No. 6,029,992 (Vendely et al.). Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vendely et al. in view of United States Patent Application Publication No. 2001/0048216A1 (Varcus et al.). Claims 6, 8, 9, 11, and 15 are objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 22, 23, and 25-27 are allowed.

Rejections of Claims 1-5, 7, 10, 12, 13, 16-21, 28 and 29 under 35 U.S.C. §102(b)

The Examiner rejects claims 1-5, 7, 10, 12, 13, 16-21, 28 and 29 under 35 U.S.C. §102(b) as being anticipated by Vendely et al. For a claim to be properly rejected as anticipated under 35 U.S.C. § 102, every element and limitation found in the rejected claim must be found in the Section 102 reference cited by the Examiner. “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See MPEP §2131.

Claim 1 requires that the claimed air bag module is “for installation on a steering wheel assembly” and that the “air bag module is a preassembled unit configured such that said cushion, cover, and attached inner plate and base plate are attached sufficiently to one another prior to installation on the steering wheel assembly so as to be retained to one another when said cushion is inflated independent of any additional attachment to the steering wheel assembly” (emphasis added).

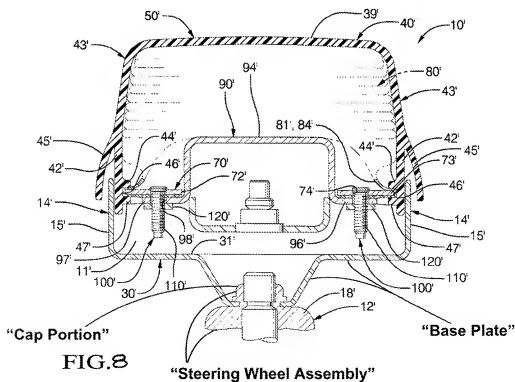
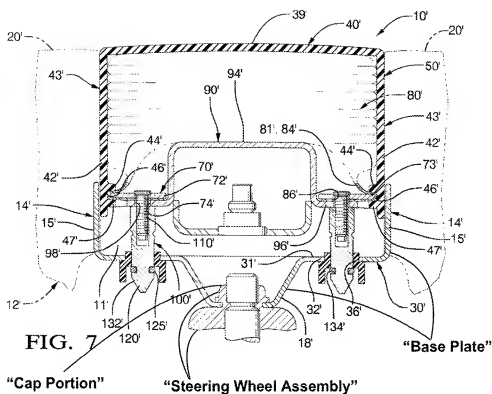
Vendely et al. does not provide an “air bag module” with a “base plate” that meets the limitations of claim 1 and the claims dependent therefrom.

In rejecting claims 1-5, 7, 10, 12, 13, 16-21, 28 and 29 as anticipated by Vendely et al., the Examiner states that “with respect to the terminology ‘steering wheel assembly’, the hub of Vendely et al. meets the claim limitations.” Office Action, page 4. In the Response to Arguments portion of the Office Action, the Examiner states that:

In regards to the applicant's remarks directed to "a steering wheel assembly", the term is sufficiently broad to encompass the structure as disclosed by Vendely et al. as discussed above, including the base plate (30) and steering wheel hub (Reference is made to Figure 7 and 8).  
(Office Action, page 6.)

Because these two statements seem potentially contradictory, a telephone call was made to the Examiner on September 13, 2007 to inquire as to whether Vendely et al.'s base plate 30/30' is considered part of the "air bag module" or part of the "steering wheel assembly" for purposes of anticipation of claim 1 and claims 2-5, 7, 10, 12, 13, 16-21, 28 and 29 that depend therefrom. The Examiner explained that Vendely et al.'s base plate 30/30' should be considered part of the "air bag module" as recited in claim 1 (i.e., as the "base plate" recited as being part of the air bag module), and not as part of the "steering wheel assembly" to which the air bag module is configured to be installed. Accordingly, the "hub" of Vendely et al. that the Examiner considers as satisfying the "steering wheel assembly" of claim 1 does not include the base plate 30/30', as the "air bag module" recited in claim 1 is configured to be installed on the "steering wheel assembly", and the same component cannot be included in both. (It is noted that the Examiner does not specifically refer to a component with a reference number when referring to the "hub" or "steering wheel hub" of Vendely et al.)

The Examiner relies on Figures 7 and 8 of Vendely et al. in rejecting claims 1-5, 7, 10, 12, 13, 16-21, 28 and 29. These Figures are reproduced below.



The air bag module of Vendely et al., including base plate 30/30', as interpreted by the Examiner, cannot satisfy the requirement of claim 1 that the "air bag module is a preassembled unit configured such that said cushion, cover, and attached inner plate and base plate are attached sufficiently to one another prior to installation on the steering wheel assembly so as to be retained to one another when said cushion is inflated independent of any additional attachment to the steering wheel assembly" (emphasis added). First, Vendely et al. teaches that "the mounting portion 30 is preferably made of a sturdy material, such as metal, and is preferably welded to or integrally molded with the hub portion 18 and spoke portions 20 of the steering wheel 12." (col. 4, lines 7-9). Therefore, because the hub portion 18 is integral with the mounting portion 30, the central hub portion 18 is also part of the "base plate" as interpreted by the Examiner and as required in the air bag module of claim 1. Referring to Vendely et al.'s Figures 7 and 8, if the mounting portion 30' and central hub portion (numbered 18' in Figure 7; unnumbered in Figure 8) are "the base plate" of claim 1, this leaves only the unnumbered structure, labeled for purposes of this discussion as "steering wheel assembly" in Figure 7, and the portion labeled 18', 12' in Figure 8, to satisfy the required "steering wheel assembly" to which the air bag module, including the base plate, is installed pursuant to claim 1.

However, there is no apparent way to attach Vendely et al.'s air bag module of Figure 7, including mounting portion 30' and integral central hub portion 18' (together forming the "base plate") to the "steering wheel assembly" indicated above in Figure 7. There is likewise no apparent way to attach Vendely et al.'s air bag module with mounting portion 30'/base plate to the "steering wheel assembly" labeled 12', 18' in Figure 8. The "steering wheel assembly" of Figure 7 as well as that of Figure 8 has a cap portion (labeled as such in the drawings recreated above) that retains the respective "base plate" (as well as the remainder of the air bag module) to the "steering wheel assembly". It is clear from the Figures that there is no way to access this cap portion in order to attach the "base plate" to the "steering wheel assembly" (including the "cap portion") after the "base plate" is attached to the other air bag module components (the inner plate, the cover and the inflatable cushion required by claim 1, as is required such that the air bag module components form a "preassembled unit configured such that said cushion, cover, and attached inner plate and base plate are attached sufficiently to one another prior to installation on

the steering wheel assembly so as to be retained to one another when said cushion is inflated independent of any additional attachment to the steering wheel assembly” as required by claim 1. This is perhaps why Vendely et al. teaches that the **mounting portion 30** with central hub portion 18 are **actually part of** Vendely et al.’s **steering wheel assembly 10, not part of the air bag module 50** (see col. 3, lines 60-66; referring to Figures 1 and 2, but applies to similar components 30’, 18’ in Figure 7 and 30’ in Figure 8). In fact, Vendely et al. teaches that “[a]dvantageously, the cover 40’ is loosely attached to the base plate 70’ [note: a different component from the “base plate”/mounting portion 30 used by Examiner to satisfy the “base plate” limitation of claim 1] such that the cover 40’ is attached securely enough for transport and storage of the module 50’, but not tightly enough to withstand the forces of air bag inflation” (col. 10, lines 23-26), and that “the module 50’ can be transported or stored until it is secured to the mounting portion 30’ of the steering wheel 12’” (col. 12, lines 9-11). The connection of the air bag module 50’ is via the “first and second mounting members 110’, 120’ [which] enable facile assembly and disassembly of the module 50’ to the mounting portion 30’ of the steering wheel” (col. 11, lines 41-46).

Accordingly, because Vendely et al. does not provide an air bag module with a base plate and other components (cushion, cover, inner plate) that form a “preassembled unit configured such that said cushion, cover, and attached inner plate and base plate are attached sufficiently to one another prior to installation on the steering wheel assembly so as to be retained to one another when said cushion is inflated independent of any additional attachment to the steering wheel assembly”, Vendely et al. does not anticipate claim 1 and dependent claims 2-5, 7, 10, 12, 13, 16-21, 28 and 29, and the rejection under Section 102(b) is improper.

#### Rejections of Claims 14 and 27 under 35 U.S.C. §103(a)

Claims 14 and 27 are rejected under Section 103(a) as being unpatentable over Vendely et al. in view of Varcus et al. A *prima facie* case of obviousness requires that the prior art references teach or suggest all claim limitations of the examined claim. (MPEP 2143.03) As discussed above, Vendely et al. does not teach or suggest all of the limitations of claim 1, from which claim 14 depends, nor all of the limitations of claim 23 from which claim 27 depends. Neither does Varcus et al. teach or suggest these limitations missing from Vendely et al. (i.e., the

requirement of claim 1 that the claimed air bag module is “for installation on a steering wheel” and that the “attached inner plate and base plate are attached sufficiently to one another prior to installation on the steering wheel assembly so as to be retained to one another when said cushion is inflated independent of any additional attachment to the steering wheel assembly”; and the requirement of claim 23 that the mounting flange of the inflator “abuts and outer surface of [the] base plate” as a result of the “positioning [the] inflator at an opening of [the] inner plate” step). For at least these reasons, the rejection of claims 14 and 27 under Section 103(a) is overcome.


Conclusion

In light of the above remarks, the Application is in condition for allowance with remaining claims 1-23 and 25-29, which action is respectfully requested.

Respectfully submitted,

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